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9 UNITED STATES DISTRICT COURT  
10 EASTERN DISTRICT OF CALIFORNIA

11 ANTHONY J. LEWIS,  
12 Plaintiff,  
13 v.  
14 COMMISSIONER OF SOCIAL  
15 SECURITY,  
16 Defendant.

No. 2:24-cv-01608-SCR

**STIPULATION AND [PROPOSED]  
ORDER FOR THE AWARD OF  
ATTORNEY FEES PURSUANT TO  
THE EQUAL ACCESS TO JUSTICE  
ACT, 28 U.S.C. § 2412(d), AND  
COSTS PURSUANT TO 28 U.S.C. §  
1920**

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18 IT IS HEREBY STIPULATED by and between the parties through their  
19 undersigned counsel, subject to the approval of the Court, that Plaintiff be awarded  
20 attorney fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d),  
21 in the amount of SIX THOUSAND TWO HUNDRED TWENTY DOLLARS AND  
22 FORTY-FIVE CENTS (\$6,220.45) and costs under 28 U.S.C. § 1920 in the amount  
23 of FOUR HUNDRED FIVE DOLLARS AND NO CENTS (\$405.00). These  
24 amounts represent compensation for all legal services rendered and costs incurred  
25 on behalf of Plaintiff, to date, by counsel in connection with this civil action, in  
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1 accordance with 28 U.S.C. §§ 2412(d) and 1920.

2       After the Court issues an order for EAJA fees to Plaintiff, the government  
3 will consider the matter of Plaintiff's assignment of EAJA fees and expenses to  
4 Plaintiff's attorney. Pursuant to *Astrue v. Ratliff*, 560 U.S. 586 (2010), the ability to  
5 honor the assignment will depend on whether the fees are subject to any offset  
6 allowed under the United States Department of the Treasury's Offset Program.  
7  
8 After the order for EAJA fees and expenses is entered, the government will  
9 determine whether they are subject to any offset.  
10

11       Fees shall be made payable to Plaintiff, but if the Department of the Treasury  
12 determines that Plaintiff does not owe a federal debt, then the government shall  
13 cause the payment of fees to be made directly to Plaintiff's counsel, John D.  
14 Metsker, pursuant to the assignment executed by Plaintiff. Any payments made  
15 shall be delivered to Plaintiff's counsel.  
16

17       This stipulation constitutes a compromise settlement of Plaintiff's request for  
18 EAJA attorney fees and costs, and does not constitute an admission of liability on  
19 the part of Defendant under the EAJA. Payment of the agreed amounts shall  
20 constitute a complete release from, and bar to, any and all claims that Plaintiff  
21 and/or Plaintiff's counsel may have relating to EAJA attorney fees, costs, and  
22 expenses in connection with this action.  
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1 This award is without prejudice to the rights of Plaintiff's counsel to seek  
2 Social Security Act attorney fees under 42 U.S.C. § 406, subject to the offset  
3 provisions of the EAJA.  
4

5  
6 Respectfully submitted,  
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8 Dated: December 10, 2025

/s/ John David Metsker  
JOHN DAVID METSKER  
Attorney for Plaintiff

11  
12 Dated: December 10, 2025

/s/ Erin Jurrens  
ERIN JURRENS  
*\*As authorized via email on*  
*December 10, 2025*  
Special Assistant United States Attorney  
Attorney for Defendant

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18  
19 **[PROPOSED] ORDER**

20 Pursuant to the parties' stipulation, IT IS SO ORDERED.

21  
22 DATE: December 17, 2025

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24   
25 SEAN C. RIORDAN  
26 UNITED STATES MAGISTRATE JUDGE  
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